<u>REMARKS</u>

Reconsideration of the application in light of the above amendment and the following remarks is respectfully requested.

<u>Status of the Claims</u>

Claims 1-20 are pending in the application. Claims 1-3, 9 and 18-19 have now been amended. No new matter is added.

<u>Rejections under 35 U.S.C. § 103</u>

Claims 1-3, 9-11, 15-17 and 19-20 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent No. 5,444,780 of Hartman in view of U.S. Patent No. 6,590,981 of Fruehauf et al. ("Fruehauf") and in view of U.S. Patent No. 6,944,188 of Sinha et al. ("Sinha"). Claim 4 was rejected under 35 U.S.C § 103(a) as being unpatentable over Hartman, Fruehauf, and Sinha in view of U.S. Patent No. 6,510,236 of Crane et al. ("Crane"). Claims 5-8 and 12-14 were rejected under 35 U.S.C § 103(a) as being unpatentable over Hartman, Fruehauf, and Sinha in view of U.S. Patent No. 5,982,506 of Kara. Claim 18 was rejected under 35 U.S.C § 103(a) as being unpatentable over Hartman, Fruehauf, and Sinha in view of U.S. Published Application No. 2002/0019933 of Friedman et al. ("Friedman").

Claim 1 of the present application has now been amended so as to recite "synchronously creating the at least one key by a respective clock system of the central system and of the network user uniquely assigned to the network user." Similarly, claim 9 of the present application has now been amended so as to recite "a respective clock system at the network user and at the central system being uniquely assigned to the network user, wherein each of the

respective clock systems is assigned to each other and configured to operate synchronously so as to create at least one changed key." Dependent claims 2-3 and 18-19 have been similarly amended. Support for these amendments can be found in the Specification at, for example, ¶¶ 0012 and 0014. It should be noted that the original application, PCT/DE03/04190, uses the German language word "erzeugten" which translates to mean "created." It is respectfully submitted that neither Hartman or Fruehauf, singly or in combination, disclose or suggest that a central system and a network user, or clock system at a central system for a network user, synchronously create a key, as recited in claims 1 and 9, respectively. As acknowledged by the Examiner, Hartman does not teach synchronously generating, at the central system and the network user, the at least one key. Detailed Action, page 3, first paragraph. Nor does Hartman teach or suggest synchronously creating such a key. Nor does Fruehauf teach or suggest synchronously creating a key at the user and central system, as recited in claims 1 and 9. In contrast, Fruehauf merely describes creating a specific key for a particular time at system initialization (Fruehauf, column 4, lines 22-26), and storing the created keys into respective key storage units 104 and 117, where the sending unit and the receiving unit are synchronized to obtain the previously created keys from the key storage units at predetermined periodic "key time" time periods (Fruehauf, column 4, lines 23-26, and column 5, lines 1-5). The respective keys of Fruehauf are thus not synchronously created at both ends, as required by claims 1 and 9. Rather, Fruehuf's keys are merely created at system initialization and then later grabbed from storage units. With regard to Sinha, that reference fails to teach, or suggest, synchronously creating a the key by respective clock systems. Sinha merely describes reconstructing a clock

$CNet_D$ 132 to match the frequency of a network clock $CNet_A$ 104. Sinha, column 5, lines 20-28. Accordingly, a combination of Hartman, Fruehauf, and Sinha, to the extent proper, could not render independent claims 1 and 9, nor their respective dependent claims obvious.

Regarding Crane, Friedman, and Kara, it is respectfully submitted that these references singly or in combination, fail to teach or suggest the above-recited features of independent claims 1 and 9 missing from Hartman, Fruehauf, and Sinha. It is respectfully submitted therefore that respective combinations of Hartman, Fruehauf, Sinha, Crane, Friedman, and Kara, to the extent proper, could not render dependent claims 3-8 and 10- 20 obvious.

Reconsideration of the respective rejections of claims 1-20 under 35 U.S.C. § 103(a) based on respective combinations of Hartman, Fruehauf, Sinha, Crane, Friedman, and Kara is respectfully requested.

CONCLUSION

In view of the foregoing it is believed that claims 1-20 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, including any additional filing or application processing fees required under 37 C.F.R. §1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 04-0100.

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Respectfully submitted,
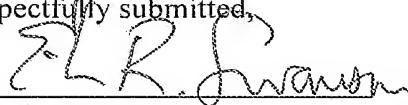
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